

**MINUTES**

**MONTANA SENATE  
60th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON FINANCE AND CLAIMS**

**Call to Order:** By **CHAIRMAN TRUDI SCHMIDT**, on April 17, 2007 at 10:00 A.M., in Room 317-A Capitol.

**ROLL CALL**

**Members Present:**

Sen. Trudi Schmidt, Chairman (D)  
Sen. Keith Bales (R)  
Sen. Gregory D. Barkus (R)  
Sen. John Brueggeman (R)  
Sen. John Cobb (R)  
Sen. Mike Cooney (D)  
Sen. Steven Gallus (D)  
Sen. Ken (Kim) Hansen (D)  
Sen. Bob Hawks (D)  
Sen. Rick Laible (R)  
Sen. Lane L. Larson (D)  
Sen. Dave Lewis (R)  
Sen. Greg Lind (D)  
Sen. Corey Stapleton (R)  
Sen. Bill Tash (R)  
Sen. Mitch Tropila (D)  
Sen. David E. Wanzienried (D)  
Sen. Dan Weinberg (D)  
Sen. Carol Williams (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Prudence Gildroy, Committee Secretary  
Taryn Purdy, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 569, 4/17/2007  
Executive Action: SB 569; HB 515; HB 519

00:00:01

**HEARING ON SB 569**

**Opening Statement by Sponsor:**

00:00:40 SEN. JIM SHOCKLEY (R), SD 45, opened the hearing on SB 569, Revise certain public defender laws.

00:04:53 Sen. Stapleton

**Proponents' Testimony:**

00:05:08 Sen. Dan McGee, SD 29

00:07:23 Jim Haynes, District Court Judge, 21st Judicial District

[EXHIBIT\(fcs81a01\)](#)

**Opponents' Testimony:**

00:11:32 Scott Crichton, Executive Director, American Civil Liberties Union

[EXHIBIT\(fcs81a02\)](#)

00:21:12 Beth McLaughlin, Montana Supreme Court Administrator's Office

[EXHIBIT\(fcs81a03\)](#)

**Informational Testimony:**

00:24:25 Randi Hood, Chief Public Defender

[EXHIBIT\(fcs81a04\)](#)

00:28:42 Mike Sherwood, State Public Defender Commission

00:36:10 Sen. Schmidt indicated that the testimony of Randi Hood and Mike Sherwood would be considered as opponents' testimony.

**Questions from Committee Members and Responses:**

00:36:21 Sen. Laible to Randi Hood  
00:46:17 Sen. Barkus to Sen. Shockley  
00:47:42 Sen. Weinberg to Scott Crichton  
00:49:53 Sen. Weinberg to Mike Sherwood  
00:53:11 Sen. Schmidt to Randi Hood

**Closing by Sponsor:**

00:54:03 Sen. Schockley  
00:59:03 Sen. Schmidt  
00:59:33 Recess  
01:27:40 Reconvene

**EXECUTIVE ACTION ON SB 569**

01:28:42 Sen. Gallus  
01:29:42 **Motion/Vote:** SEN. GALLUS moved that SB 569 BE TABLED.  
Motion passed 11-4 with SEN. BRUEGGEMAN, SEN. COBB,  
SEN. LAIBLE, and SEN. LEWIS voting no.

**EXECUTIVE ACTION ON HB 515**

01:30:55 **Motion:** SEN. HAWKS moved that HB 515 BE CONCURRED IN.  
01:31:29 **Motion:** SEN. WANZENRIED moved that AMENDMENT HB 515-1  
BE ADOPTED.

**EXHIBIT**(fcs81a05)

**Discussion:**

01:31:31 Sen. Wanzenried  
01:31:42 **Vote:** Motion carried 17-1 by voice vote with SEN.  
BARKUS voting no. SEN. BRUEGGEMAN, SEN. COONEY, and  
SEN. LIND voted aye by proxy.

01:32:02 Sen. Wanzenried to Taryn Purdy, Legislative Fiscal Division

01:33:44 **Motion:** SEN. LAIBLE moved that HB 515 BE CONCURRED IN AS AMENDED.

01:33:52 Sen. Barkus

01:34:45 Sen. Laible

01:35:57 Sen. Hawks

01:36:53 Sen. Wanzenried

01:37:07 **Motion:** SEN. WANZENRIED moved A CONCEPTUAL AMENDMENT to make the appropriation either one-time-only, a temporary appropriation, or with a sunset.

01:37:27 Sen. Hawks

01:38:26 Taryn Purdy

01:39:44 Sen. Wanzenried to Taryn Purdy

01:39:55 Sen. Barkus to Sen. Wanzenried

01:40:15 **Vote:** Motion carried 11-8 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. COBB, SEN. LAIBLE, SEN. LEWIS voting no. SEN. STAPLETON, and SEN. TASH voted by proxy.

01:42:25 **Motion/Vote:** SEN. HAWKS moved that HB 515 BE CONCURRED IN AS AMENDED. Motion carried 14-1 with SEN. BARKUS voting no. SEN. BRUEGGEMAN, SEN. STAPLETON and SEN. TASH voted by proxy.

EXECUTIVE ACTION ON HB 519

01:43:21 **Motion:** SEN. COBB moved that HB 519 BE CONCURRED IN.

01:43:42 **Motion:** SEN. WANZENRIED moved A CONCEPTUAL AMENDMENT to fund the bill at \$100,000.

01:44:27 Sen. Laible

01:44:49 Sen. Cooney to Sen. Lind

01:45:49 Recess

01:48:37 Reconvene

01:49:27 Sen. Bales

01:51:25 Sen. Wanzenried

01:51:52 Sen. Bales

01:52:07 Sen. Cooney

01:52:19 Vote: Motion carried 16-3 by roll call vote with SEN. BALES voting no. SEN. BARKUS and SEN. STAPLETON voted no by proxy.

01:53:43 Motion/Vote: SEN. WANZENRIED moved that HB 519 BE CONCURRED IN AS AMENDED. Motion carried 16-3 by voice vote with SEN. BALES voting no. SEN. BARKUS and SEN. STAPLETON voted no by proxy. SEN. BRUEGGEMAN and SEN. TASH voted aye by proxy.

01:54:36 Taryn Purdy

**ADJOURNMENT**

Adjournment: 12:03 P.M.

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SEN. TRUDI SCHMIDT, Chairman

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PRUDENCE GILDROY, Secretary

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Additional Exhibits:

**EXHIBIT**([fcs81aad.pdf](#))